2:Newcomb E-4, 5 (1951-1952) 1956
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It should be noted, then, that a sachem's duties were administrative, legislative, and judicial. The duties of these chiefs were on the whole fairly simple; their power was in no sense autocratic. They carried out the wishes of the people directly through the council and indirectly through informal pressure. To retain their position they had to be "...gracious, hospitable, communicative, affable, and their house is open to every Indian."[154] It appears that incompetent chiefs could be deposed.[155]

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Morgan stated that there were two war chiefs, subordinate to the principal chiefs in peacetime. War chiefs gained their rank through leading a number of successful war parties, and were often those individuals who had had visions indicating that war was their vocation.[156] By this time (1659) the phratry heads were the political leaders, and one of these men was the principal chief.[157] If the war chiefs unanimously favored war, the civil chief had to give his consent.[158] Political as well as military power was then in the hands of the war chiefs.

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Informal Controls

Individual behavior was controlled primarily by family and kinship groups, rather than by special institutions. Europeans were surprised to learn that Indian behavior was so well regulated:

> Judged by the mere appearance of the Indians one is surprised how modest and careful they are in relation to each other and imagines that the whites, if they were as free a people and had neither government nor punishment to fear, would not be as united and peaceable as the Indians appear to be.[159]

Penn said:

> The justice they have is pecuniary. In case of any wrong or evil fact, be it murder itself, they atone by feasts and presents of their wampum, which is proportioned to the quality of the offence or person injured, or of the sex they are of. For, in case they kill a woman, they pay double; and the reason they render is, "that she breedeth children, which men cannot do." It is rare that they fall out if sober; and if drunk they forgive, saying, "It was the drink, and not the man, that abused them."[160]

A number of other sources have noted that the laws of the wergild were enforced.[161] Denton said:

> The friends of the murdered person do revenge upon the murderer unless he purchase his life with money, which they sometimes do: This money is made of a Periwinkle shell of which there is black & white, made much like unto beads & put upon strings.[162]

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[154] Zeisberger, 1910, p. 93.
[155] Ruttenber, 1872, pp. 47-48; Zeisberger, 1910, pp. 93-95; Heckewelder, 1881, pp. 107-11; Harrington, 1913, p. 211.
[156] Zeisberger, 1910, p. 101; Loskiel, 1794, p. 142.
[157] Morgan, 1859, MS.
[158] Zeisberger, 1910, p. 98; Ruttenber, 1872, p. 48.
[159] Zeisberger, 1910, p. 122.
[160] Penn, 1683, p. 345.
[161] Pastorius, 1912, p. 434; De Rasieres, 1909, p. 109; Lindestrom, 1925, p. 205; Wallace, 1947, pp. 10-11.
[162] Denton, 1845, p. 7.

2:Newcomb E-4, 5 (1951-1952) 1956
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627 If peace could not be restored through the payment of "blood money," the interested kin, in case of murder, resolved the case by the murder of the guilty party or one of his kin.[163] From the scanty evidence available it would appear that only in the case of unresolved murders which were upsetting internal peace would society step in to halt the conflict.

576 Little is known about etiquette and the customary ways in which people behaved towards one another. Penn, however, said:

431 In liberality they excel. Nothing is too good for their friend. Give them a fine gun, coat, or other thing, it may pass twenty hands before it sticks: light of heart, strong affections, but soon spent: the most merry creatures that live: they feast and dance perpetually; they never have much, nor want much. Wealth circulateth like the blood. All parts partake; and though none shall want what another hath, yet exact observers of property.[164]

Denton in the same vein said:

They are extraordinary charitable one to another, one having nothing to spare, but he freely imparts it to his friends & whatsoever they get by gaming or any other way, they share one to another leaving themselves commonly the least share.[165]

571 This sort of behavior is, of course, to be expected in a society organized upon a kinship basis. Society was predicated, not on the competition between individuals, but upon mutual assistance and the unity of action of the kin group. Respect for, and solicitous care of, the aged has also been noted.[166]

War

726 Small-scale, probably infrequent raiding by a few warriors was the typical form of warfare in early historic times and undoubtedly in the 174 pre-European period. This type of conflict was a personal, usually non-economic feuding. An apt designation for it might be primitive war, since it seems to be characteristic of many cultures at this and lower technological levels of development. A special term for it is necessary since it generally differs in its causation, purpose, and form from total, modern warfare. There is little evidence that chronic, full-scale, economically caused warfare existed aboriginally in what is now northeastern United States. Hunt shared this point of view in writing of the Iroquois, generally considered to have been the most warlike of peoples in this area! He said:

In the beginning intertribal rivalries were not keen, and intertribal war was purely private and social interprise. But before long the European trade was to create new rivalries, and whet old ones to the point where the issue became one of survival.[167]

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[163] Van der Donck, 1909, p. 303.
[164] Penn, 1882, p. 243.
[165] Denton, 1845, p. 9. Also see Zeisberger, 1910, pp. 115-16.
[166] Zeisberger, 1910, p. 123; Heckewelder, 1881, p. 103.
[167] Hunt, 1939, p. 23.

be more complete (Loskiel, p. 143). The typical pre-white type of conflict was one in which a captain took a group of eight or ten warriors on a raid of the enemy camp, from which they carried off what goods they could, a few scalps and prisoners. If the chief of the raiding tribe did not denounce the raiding party and make recompense to the other tribe, war would be declared (Heckewelder, 1881, p. 176; Loskiel, p. 148). The warriors were recruited at a dance in which they signified their desire to participate by joining the warriors already dancing. This was a festive occasion at which women were present and it was repeated at the first night's camping ground to which the women followed the warriors (Heckewelder, 1881, p. 210; Loskiel, p. 146).

Prisoners were taken primarily to replace men of the tribe who had been killed in battle or died a natural death since the last war. On the march home prisoners received the same fare as the warriors themselves, but at each Delaware town they passed they were forced to perform for the amusement of the townspeople and run the gauntlet. This ordeal consisted in running between two parallel lines in which the townspeople were drawn up and suffering the blows of the double file until a specified pole was reached which guaranteed their safety. When the home village was reached, the same procedure occurred except that those who were to be adopted were sometimes protected by their foster families. Those who were not adopted were tortured in most of the ways the human mind has been able to devise, but gradual dismemberment and slow burning seem to have been the most common. A prisoner who remained impassive under this treatment was held in high esteem.

Women and children were not usually injured and the peace messenger was also granted immunity, indeed hospitality. Two essential ceremonies of the peace conference were the smoking of the peace pipe and the exchanging of strings of wampum to confirm the covenant (Heckewelder, 1881, pp. 215-18; Loskiel, pp. 143-156; Hill, pp. 53-55; Zeisberger, 1910, pp. 102-03 and 151).

The weapons used were the bow and arrow, the stone axe and a club with a rounded knob on the end. For defense they had a shield and helmet made of wooden sticks bound together with leather or hemp cord (Johnson, 1915, pp. 281-82; Koskiel, p. 141). Some of the east coast villages were palisaded for protection (Krieger, p. 51; Brinton, 1885, p. 51; Skinner, 1915, p. 7; Heye, p. 11).

Crime

Offenses against members of the group became a concern of the chief only when they could not be settled by the families concerned. "The Justice they have is Pecuniary: In case of any Wrong or evil Fact, be it Murther it self, they Attone by Feasts and Presents of

their Wampum, which is proportioned to the quality of the Offense or Person injured, or of the Sex they are of: for in case they kill a woman, they pay double, and the reason they render is , That she breedeth Children, which men cannot do." (Penn, p. 43). Except for the concept of different recompense according to the sex of the person injured, the above statements are confirmed by other writers. More common than recompense in the case of murder or rape, however, was the death of the offender at the hands of the injured person's family 12 (Brainerd, p. 356; Heckewelder, 1881, p. 329; Ruttenber, p. 48; Harrington, 1913, p. 217).

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Religion

All of the Delaware accounts of the origin of the world and of the tribe center around a giant mythical tortoise related in some way to the Turtle phratry and the occasion of that phratry's pre-eminance over the other two. The most complete version is found in the writings of Danckaerts whose visit to this region dates back to 1679. He asked an old Indian where the first of his race came from.

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> "He was silent for a little while as if unable to climb up at once so high with his thoughts, or to express them without help, and then took a piece of coal out of the fire where he sat, and began to write upon the floor. He first drew a circle, a little oval to which he made four paws or feet, a head and a tail; 'This', said he, 'is a tortoise, lying in the water around it', and he moved his hand around the figure continuing, 'This was or is all water, and so at first was the world or the earth, when the tortoise gradually raised its round back up high, and the water ran off of it, and thus the earth became dry.' He then took a little straw and placed it on end in the middle of the figure and proceeded, 'The earth was now dry, and there grew a tree in the middle of the earth, and the root of this tree sent forth a sprout beside it, and there grew upon it a man, who was the first male; This man was then alone, and would have remained alone, but the tree bent over until its top touched the earth, and there shot therein another root from which came forth another sprout, and there grew upon it the woman, and from these two are all men produced...'" (Danckaerts, pp. 77-80).

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The following writers also refer to the turtle as the earth and the agent of the creation of man: Heckewelder (1881, p. 250); Kalm (p. 606); Ziesberger (1870, p. 218). Other creation myths have the general theme that the people lived under the earth before they came up to live on the surface (Heckewelder, 1881, pp. 249-50).

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+ = element present
− = element denied
(+) or (−) = source ambiguous
* = informant could not or would not say
S = some, sometimes, or several
† or * = see Ethnographic Notes, pp. 79-137 for additional information

	Williams	Van der Donck	Lindeström	Zeisberger	Heckewelder	Johnston	Pipe	Chippa	J. W.	W. T.	E. R.	W. L.
	583	584	585	586	587	588	589	590	591	592	593	594
Chiefs—Continued												
237. War chief chosen through vision power				+	+					+	+	+
238. Body of counselors †	+	+		+	+	+	+	+	+	+	+	+
239. Name *apwaenowak							+		(+)	+	•	+
240. Chosen by people						+	+	•	+	+	+	+
241. Consider all matters of importance to tribe		+		+	+	+	+	•	+	+	+	+
242. Counselors and chiefs only present at council meetings		S?		S	S	+			S	S	S	S
243. All adults except women admitted				S				+	+	S	S	S
Justice												
244. Any mode of compelling payment of debt				+		−	−	−	−	−	−	−
245. Relatives of debtor make restitution				+	+		S		+		+	+
246. Creditor uses force							S	+	•+		+	−
247. Redress for civil injuries (theft)	•+	+	+	+	+	−	−	−	+	−	+	+
248. Injured party applies to chief		+			−		+		+		+	−
249. Any punishment inflicted by nation if restitution is made		−		−	−	−	−	−	−	−	−	−
250. Injured party has right to kill thief on second offense		−			+			+	+		+	−
251. Murder punished	+	+	+	+	+	+	+	+	+	+	+	+
252. By nation	+	−	+	−	−	−	−	−	+	•	−	+
253. Breach closed by presents		+		+	+	+	+	+	+	+	•	+
254. Amount of wampum as presents †				+	•	+	+	+	+	+	•	+
255. Lacking presents, revenge by relatives	+	+	+		+	+	+	+	+	−	•	+
256. Revenge duty of any individual		•+			−	−	−	−	•+	•	•	•
257. Any one interfere from duty		•+				−	•	−	−	•	•	•
258. Guilty submits	+	•−				+	+	−	+	+	•	•
259. Feud arise from revenge		•+					−		−	−	•	•
260. Revenge approved by nation	+		+	+		+	+		+	+	+	+
261. Crimes. Theft	+	+		+	+	+	+	+	+	+	+	+
262. Rape		+					+		+	+	+	+
263. Adultery	+	+		+			+	+	+	+	+	+
264. Desertion of children								+	+	(+)	•	
265. Drunkenness and slander	+							+	+	(+)		

9: Kinietz E-4, 5 (1938) 1946
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682 tempted to reconcile the parties involved and often gave liberally of their own means if those of the offender were deficient in order to settle the difficulty. Most breaches caused by murder were closed by presents (253). The reports of the amount of wampum, the usual compensation, varied; Zeisberger said one hundred fathoms for a man, double for a woman; Johnston and Chipps said two hundred fathoms; and Pipe reported one hundred and twenty fathoms for a man, one hundred and thirty for a woman (254). In the fourth period the discrepancies between the accounts show the effects of the lapse of time since this mode of appeasing bereaved relatives was used. J. W. said twelve yards of wampum was required, W. L. said fifty yards for a man and double for a woman, and W. T. said four feet was all that was necessary; whereas, E. R. did not think that a murder could ever be compensated for in this way and disclaimed all knowledge of wampum as a medium of exchange. E. R. said that blood vengeance was the only means of punishing a murderer.

682 627 Revenge, according to the rest of the accounts except Zeisberger and Johnston, was only resorted to in case presents were not offered or offered in insufficient amounts. Johnston said that no amount of wampum was sufficient to settle a second offense. Zeisberger did not explicitly refer to revenge but, in saying that a murderer who did not feel safe went to another village where he was a stranger, he implied that revenge was not unknown.

Revenge was the duty of the nearest relative of the slain person, according to Van der Donck, but no subsequent writer ascribed the responsibility to any particular person (256). In the later periods any of the relatives who were brave enough might undertake to obtain revenge but there was said to be no duty connected with it. In the fourth period, J. W. and W. L. said that relatives were not supposed to take revenge but that the chief appointed two or three men to do so. This element shows two changes from the first to the last period. In view of the established custom of giving presents to maintain peace disturbed by a murder it is probable that revenge was seldom taken within the nation. However, revenge as a method of

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settling such an affair was approved by the nation (260), and it did not give rise to a feud between the two families involved unless there was some violation of the established customs by the injured family as reported by Van der Donck (259).

Besides murder and theft, rape, adultery, desertion of children, drunkenness, and slander were considered crimes (262-65). Apparently the conception of what constituted punishment varied among the sources, for some did not regard the payment of wampum as such (266). This was the only retribution levied on the offender recorded by Van der Donck, Heckewelder, Chipps, and Pipe. Zeisberger agreed, except that in the case of adultery he said a man whose wife had been seduced awaited his opportunity and seduced the wife of the seducer. J. W. and W. L. said that failing presents, whipping and even death might be meted out in cases of persistent offenders. J. W. seemed to think that rape was always punished by death.

Another element that shows an increasingly rigorous enforcement of law and order with the passage of time is that involving the murder of a woman by her husband (269). In the first two periods this received no mention, but in the third there are statements by Johnston and Pipe that the husband would not be punished (270). Johnston said that the wife's relatives might take revenge if they considered the act unwarranted. According to the modern informants, such a murderer would be punished anyway, and there might be revenge in addition if her relatives thought the deed unwarranted.

References to the age at which adult status was reached were infrequently given by the earlier sources (267). Van der Donck and Johnston said that the matter was determined by the ability of the individual (268). Chipps said that a youth was considered a man at twenty years and was then his own master even though he could marry before that. None of the modern informants said that coming into adult status was determined by the ability of the individual, although W. L. implied as much by saying that the age was between twenty and twenty-four years. Two of the others placed the age at twenty-five years and the fourth at twenty-one. In a society that placed so much emphasis upon

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J. W. said twelve yards was the required amount of wampum. 681
W. T. said four feet was all that was necessary. 682
W. L. said fifty yards for a man, but one hundred for a woman.

256 to 259. Revenge of murder

VAN DER DONCK—Murder or personal injuries are not attended to by the chief, or friends, except for the purpose of reconciling the parties, for which they use all possible means, and give liberally to effect their object when the offender is deficient in means, which is usually the case. A murder among them is never atoned for without heavy payment. The nearest relative by blood is always the avenger, and if he finds the murderer within twenty-four hours after the act, he is slain instantly, but if the murderer can save himself until one day is past, and the avenger slays him afterwards, then he is liable to be pursued and slain in like manner. A murderer seldom is killed after the first twenty-four hours are past, but he must flee and remain concealed; when the friends endeavour to reconcile the parties, which is frequently agreed to, on condition, that the nearest relatives of the murderer, be they men, women, or children, on meeting the relatives of the person murdered, must give way to them. 627 682

J. W. and W. L. said revenge might not be taken by relatives but by two or three men appointed by chief.

264. Desertion of children

E. R. said that desertion of children was settled in the family. 682

HUNTING

318. Ceremonies

LINDESTRÖM—Now as soon as the winter bids good night, they begin with their hunts, which is done with a fine innovation. Now at that time of the year the grass which grows there, as has been said, is as dry as hay. When now the sachem wants to arrange his hunt, then commands his people [to take a position] close together in a circle of ½, or 1 or 2 miles, according to the number of people at his command. In the first place each one 224 622

154 rein these are the more violent."[51] Warfare
[721] provided a socially approved way of bleeding off some of these aggressions, for the warriors; and the institution of torture
154 gave the rest of the community a similar
727 opportunity. "The Indians flock to these executions as to some great solemnity, with a view to reeking on the unfortunate
154 captive their cruel and revengeful dis-
627 position."[52] The institution of blood-revenge[53] (which sometimes led to prolonged vendetta) was also an outlet for aggression; but the fear of its exercise no doubt served also to inhibit it. In
154 hunting, males could work off aggression
224 on animals, which were conceptualized as quasi-human. It is worth noting that among women, who had a more restricted
154 childhood and who at the same time had
521 fewer socially sanctioned outlets for
562 aggression, the overflow dribbled off in unpleasant gossip and slander, which the men, who had other means of catharsis, professed to scorn.[54]

154 All observers agreed that liquor dis-
273 solved the inhibitions against aggression.
578 "The effects which intoxication produces upon the Indians are dreadful," lamented Heckewelder. "It has been the cause of an infinite number of murders among them, besides biting off noses and otherwise disfiguring each other, which are the least consequences of the quarrels which inebriation produces between them."[55] As might be expected, therefore, Indian spokesmen frequently—and in vain—implored the whites to cease bringing liquor into their settlements.

Summary

127 From an examination of the early ethnological literature concerning the Delaware Indians, we have been able to discover some of their psychological
855 characteristics. The Delawares would seem in general to have been a people among whom the children grew up

51. Zeisberger, 1778, pp. 124-125.
52. Zeisberger, 1778, pp. 106-107.
53. Penn, 1683.
54. Zeisberger, 1778, p. 116.
55. Heckewelder, 1819, p. 263.